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W. HANS KOBELT
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ANTHONY ZACCARIA

June 16, 2009

By Federal Express and ECF

Honorable Andre M. Davis
United States District Court
District of Maryland
101 West Lombard Street
Chambers 5B
Baltimore, Maryland 21201

re: MDL 1586 – Franklin Subtrack

Dear Judge Davis:

For avoidance of doubt, we wish to advise Your Honor that the Franklin Templeton Defendants will be opposing, on a number of grounds, Lead Plaintiff's attempt to file a Second Amended Complaint five years after commencement of this action and after completion of fact discovery based on the original Amended Complaint.

Respectfully,



Daniel A. Pollack
Counsel for Franklin Templeton
Defendants

cc: Chet B. Waldman, Esq.
Lead Plaintiff's Counsel